

## Trial Halted And Witnesses Sent to Jail

Perjury Charged by Judge in  
Testimony of Chauffeur in  
Case of Ex-Process Serv-  
er Accused of Extortion

Proar in Courtroom

Prisoner's Bail Raised to  
\$40,000; Defendant Was  
Employed in Richmond

County Judge Tiernan, sitting at St. George, S. I., yesterday, peremptorily halted the trial of Thomas E. Burke, former process server in the office of the District Attorney at Richmond, charged in eight indictments with extortion and attempted extortion in liquor prosecutions.

Burke was represented in court by W. S. Kennedy, an attorney of Manhattan. Theodore Stelling, a chauffeur, who had testified before the grand jury to having conveyed Burke on various expeditions on which the extortion and attempted extortion are alleged to have been committed, gave testimony which drew a rebuke from Judge Tiernan. Kennedy objected to this and moved that a juror be withdrawn and a mistrial be declared.

Bail Increased to \$40,000

"I will grant that motion," declared Judge Tiernan. "I will also order that the bail in Burke's case be increased from \$5,000 to \$40,000. I direct that all witnesses for the people in this case be immediately arrested and placed in jail. The witness Stelling has committed perjury in this court. I order that he be arrested and charged with perjury. The case will be adjourned until Thursday."

Following the court's order, deputy sheriffs moved among the spectators, picking out witnesses and placing them under arrest. Some of the men were accompanied by their wives and children. Women screamed and children wailed as five men were led out to the sheriff's office. Several hundred spectators gathered to hear the proceedings, many of whom were related to principals and witnesses in the case, engaged in an excited discussion of the situation, despite efforts of half a dozen bailiffs to restore order.

Later Judge Tiernan modified the jail order with regard to five of the witnesses, permitting them to go to their homes after a lecture in the office of District Attorney Melloy on the importance of truth telling under oath. Burke, Stelling and another witness, William Kostinski, were unable to furnish bail and were placed in cells. Kostinski is a former saloonkeeper of New Richmond. He was detained under bail of \$20,000.

Charges Against Burke

Burke was a process server in the office of District Attorney Melloy until last October, when he was dismissed after investigation of a complaint by a saloonkeeper that he had demanded a bribe. Three indictments returned against Burke later charged extortion.

## "FOREIGN DEVILS"

Breathes there a man with imagination so dead that he has never dreamed of occupying a diplomatic or commercial post in the Orient? W. Somerset Maugham, the distinguished English novelist, recently returned from China where he found men who dreamed of such adventures and actually lived them. In brilliant, satirical sketches he paints portraits of Europeans and Americans who dwell in clamorous Chinese cities.

Read "Foreign Devils" in the February

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five charging attempted extortion. He was put on trial yesterday under an indictment for extortion. It charged that during the latter part of last summer he demanded money for protection in liquor traffic from Mrs. Anna Scareucci, owner of a saloon.

One of the complainant's witnesses was Stelling. He testified last Friday in the case of a former deputy sheriff of Richmond then on trial for extortion on Stelling's testimony. When Stelling was questioned yesterday about the same lines as his testimony before the grand jury he was unable to remember important details. The court's reprimand followed, with Mr. Kennedy's motion for a mistrial order and the court's prompt action.

Burke is a married man with a family. He has been long known as a minor political boss and is said to have boasted that he would be acquitted of the charges against him.

## The Stage Door

Next Sunday the Criterion Theater will return to its original policy of continuous performances, beginning at noon each day. The prices will be reduced.

Brook Pemberton sails today for London, where he will produce "Enter Madame," next month in conjunction with Dennis Radey, of the Royalty Theater. Gilda Varon, who created the leading role here, will be featured in the play with Mr. Radey.

A. H. Woods has started negotiations for a London production of "The Great Game," Samuel Shippman's play, which is now at the Republic Theater.

Billy Burke will give matinees of "The Fighting Strangers" on Thursday, Friday and Saturday of this week at Henry Street Theater.

Kilbourn Gordon has acquired "The Cat and the Canary," by John Willard, for early production.

Edwin Milton Ross, author of "The Squaw Man," in which William Faversham is starring at the Astor Theater, is under studying William Frederic in the part of the sheriff.

Stark Young will feature on the "Contemporary Theater of Spain and Italy" before the New York Dramatic League Sunday afternoon, January 22, at 8:30, at the Klaw Theater.

The Palace Theater press agent is authority for the statement that Mrs. Irene Castle will adopt Libby, the baby hippopotamus at the Bronx Zoological Gardens, at noon today. He doesn't say whether she is to install the animal in her home or not.

## On the Screen

Fine Casts in 'Hail the Woman'  
at Strand, and 'Law and the Woman' at Rivoli

By Harriette Underhill

All that a director has to do to make a successful picture—mind, I do not say a good picture—is to convince himself that this or that or the other thing is true and then drive it home for six reels. It may be that he chooses for his sermon fallen women and the "first stone." If so, he will make you believe at the end of an hour that all fallen women are angels and that no home is complete without one. Or he may choose the overworked husband or the neglected mother; it really doesn't matter just what is used for the nucleus. In the case of "Hail the Woman," which opened at the Strand this week, Thomas Ince treats of man's inhumanity to woman, and I am sure he is going to make countless thousands weep with this picture. He says that all women have the divine spark and noble than men. The picture contains nothing but sure-fire stuff; the theater was packed Sunday night and it will probably continue to be so the rest of the week. The titles are calculated to make one rise in his seat and shout "Vive la femme!" but it is our opinion that the picture should be called "Don'ts for Women."

A hard-hearted old man is told by a terrible person, who uses a toothpick that his daughter is in a man's clutches, low smoking cigarettes, so he drives her out of the house. His son, who is studying for the ministry, has a secret marriage with a village girl, and when her father learns that she is about to become a mother he drags her to the home of the boy. Here he repudiates her and she is sent out into the world alone. She goes the usual way and then dies. Of course, her sister-in-law, who was driven from home for smoking cigarettes, found her just in time to take care of the baby, and later he lapsed out a confession, and everybody got good and the men began to act like human beings.

There may be men like this Oliver Beresford, but we know of no household where all questions are settled by saying "Ask dad, he knows." Mr. Ince's picture, however, will surely be a success, for he has an excellent cast and the photography is wonderful. It is only the story which seems to us quite passe. We don't believe it ever did happen that way in real life, but it was extremely popular on the stage a long time ago.

Florence Vidor and Madge Bellamy are the women in the cast. They are

both clever actresses and possessed of unusual beauty. Theodore Roberts is as interesting as ever in the role of the bad old father. Tully Marshall is the villain, who is the father of the more wronged of the two girls, and Charles Meredith is the handsome hero who married the girl who was accused of smoking cigarettes. He said he didn't believe it.

Others in the cast are Gertrude Claire, Lloyd Hughes, who is excellent as the cowardly young man, Vernon Dent, Edward Martindel and Mathilde Brundage.

Winsor McCay has a study in animation called "The Midsummer's Night-mare." There is a vocal prologue, with Kitty McLaughlin and Richard Bold. The overture is from "Robin Hood," with the Armorer's Song sung by Herbert Waterous.

Betty Compson is at the Rivoli in a picture called "The Law and the Woman." It was made from the Clyde Fitch play, "The Woman in the Case." The story is an interesting one and has a new twist on the eleventh hour surprise where the wife obtains the confession of the pardon just as the man is about to jerk the switch which turns on the current in the electric chair. We were so thankful that the picture did not show that death chair, nor the last minute preparations, nor the agony of the condemned man, nor the wife who forgave him anything else.

The wife of the man, Julian Rolfe, who was falsely accused of murder, decided that the only way to get the true story was to become friends with the woman who had planned his destruction. Now this other woman was a clever adventuress who drew to her side men of wealth and prominence, and she was made far too crude a person. Also, the set-up of Mrs. Rolfe when she decided to go to live in the same hotel with this adventuress was ridiculous. We doubt if any hotel claiming respectability would have admitted her. And her does not blench like that in a few minutes when done at home; these scenes were all overdone terribly. We think that the entire conception of this vampire person, Clara Foster, was wrong; she lacked finesse. She should have been an imposing and beautiful person, with plenty of power, who lost her head when she drank too much.

Betty Compson plays the wife who saves her husband by wringing a confession from the other woman. William L. Carlisle is the condemned man. He gives a splendid performance, and so does Casson Ferguson as the murderer, who had, supposedly, died at the hands of his guardian, Julian Rolfe. Cleo Ridgely, Helen Dunbar and Henry Burrows are also in the cast. The adaptation is by Albert Le Vay.

The comedy is called "Willie's Slate." The overture is Tchaikovsky's "March Slav." Carlo Marx, pianist, is heard

in List's "Concerto in E B Major." Victoria Krigher does a dance from "Prince Igor."

## Supreme Court Clerk 80

"Commodore" Brady Has Record of 39 Years at Same Desk

Unlike justices of the Supreme Court, clerks in that tribunal are not affected by the seventy-year-old compulsory retirement law, so Walter A. Brady, clerk of Part I, tried term, received the congratulations of justices and lawyers and fellow clerks on his eightieth birthday yesterday, at the desk that he has occupied for thirty-nine years.

Justice Platzek, who is sitting this month in Mr. Brady's part, congratulated the veteran clerk from the bench. Mr. Brady, known to his friends as "Commodore," having occupied that office in a yacht club, hardly looks his age. His hair and beard are gray, but not white, and he walks with the springy step of a man many years younger. Before becoming a clerk thirty-nine years ago "Commodore" Brady was a clerk for seven years in the County Clerk's office.

## 44th St. Theater to Revert To Legitimate Productions

The Shuberts announced yesterday that at the close of this week the Forty-fourth Street Theater, which has been playing vaudeville, will revert to its policy of legitimate productions. This step is being taken, it is said, to avoid conflict with the Winter Garden, which also is playing Shubert vaudeville.

Another theater in the uptown district will take the place of the Forty-fourth Street Theater in the vaudeville chain. Next Monday "Up in the Clouds" will occupy the Forty-fourth Street Theater.

## "The Varying Shore" to Close

Sam H. Harris announces that the New York engagement of Miss Ferguson in "The Varying Shore" now at the Hudson Theater, will end Saturday, January 28. Owing to a union picture contract, which contrary to Miss Ferguson's expectation, cannot be postponed, Mr. Harris finds it necessary to abridge the Broadway engagement. The production will go on tour.

## Canadian Shoppers Accent Cut

WINNIPEG, Jan. 16.—Shoppers employed by all Canadian railways have voted by a small majority to accept the 12½ per cent wage cut made effective in July.

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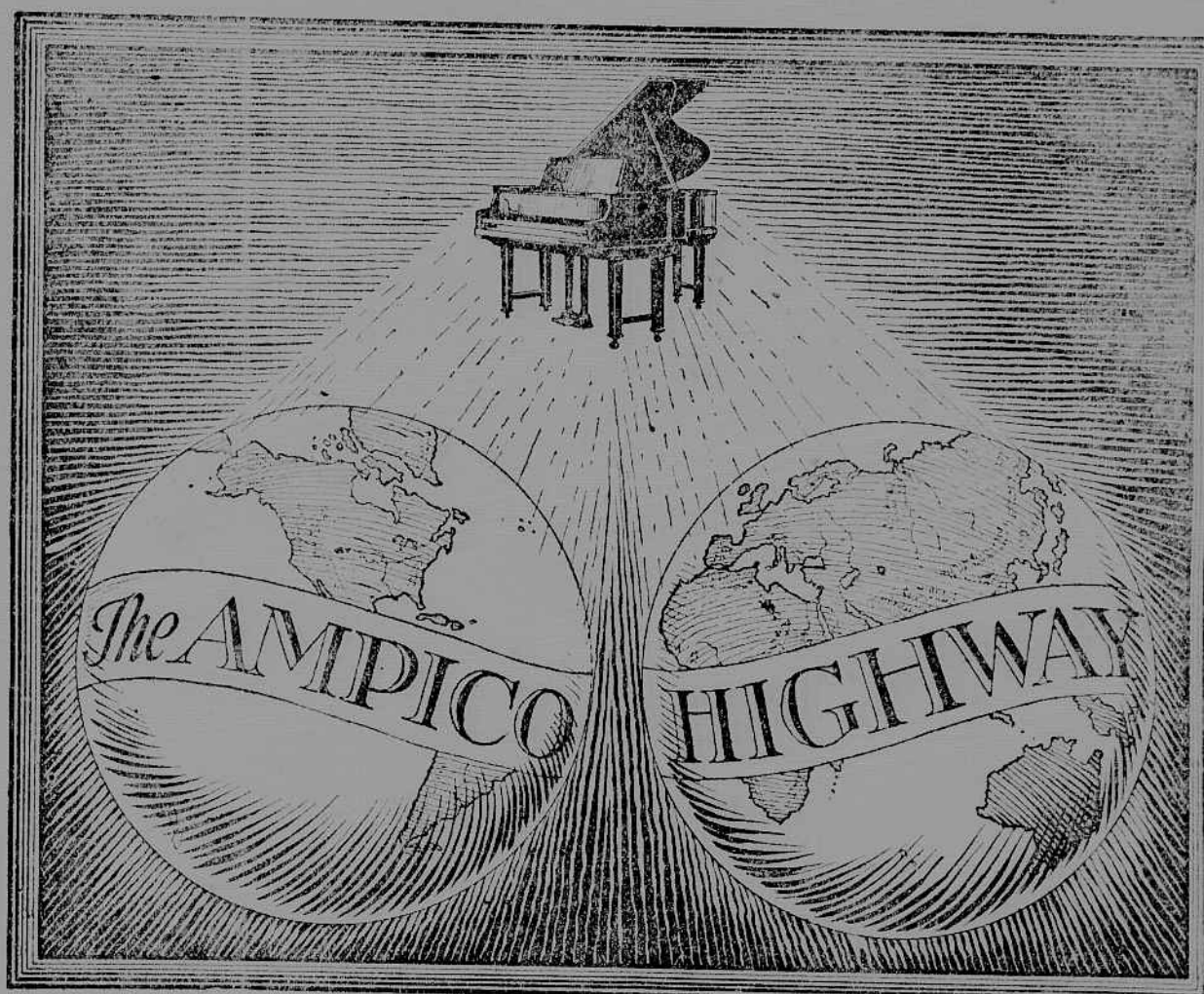
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